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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/915,150  
Applicant : Gary R. DelDuca *et al.*  
Filed : July 25, 2001  
Title : Modified Atmosphere Packages and Methods For Making the Same  
  
TC/A.U. : 1761  
Examiner : Robert A. Madsen  
  
Docket No. : 47097-01080USPT

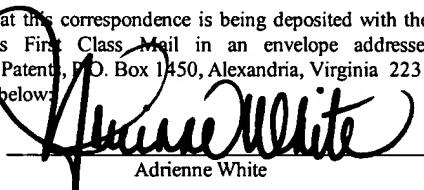
FOURTH INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§1.97 and 1.98

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313, on the date indicated below:

October 21, 2003  
Date

  
Adrienne White

Dear Commissioner:

In compliance with the duty of disclosure under 37 C.F.R. §1.56, it is respectfully requested that this Information Disclosure Statement be entered and the reference(s) listed on attached Form PTO-1449 be considered by the Examiner and made of record.

The applicants would like to make the Examiner aware of the following applications that are being pursued by the assignee of the present application:

<u>Application No.</u>	<u>Date Filed</u>	<u>Title</u>	<u>Publication No.</u>
09/965,426	09/27/2001	Modified Atmosphere Packages and Methods For Making The Same	US 2003/0054072
10/190,375	07/03/2002	Modified Atmosphere Packages and Methods For Making The Same	US 2003/0054073
10/424,460	04/25/2003	Modified Atmosphere Packages and Methods For Making The Same	Not Published
10/424,637	04/25/2003	Modified Atmosphere Packages and Methods For Making The Same	Not Published

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In accordance with 37 C.F.R. § 1.98(a)(2)(iii), copies of the above-referenced U.S. Patent Application Serial Nos. 10/424,460 and 10/424,637 are enclosed.

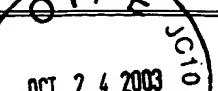
In accordance with 37 C.F.R. § 1.98(d), copies of the listed references are enclosed.

The present Information Disclosure Statement is being submitted after the mailing of the first Office Action reflecting an examination on the merits but before the mailing of a Final Rejection or Notice of Allowance. Accordingly, in accordance with 37 C.F.R. § 1.97(c), a fee of \$180 is included herewith. If this check is inadvertently not enclosed, or is in error in amount, the Commissioner is authorized to charge any deficiency or to credit any over payment to Jenkens & Gilchrist Account No. 10-0447/47097-01080USPT.

Respectfully submitted,

  
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Form PTO-1449 (modified)  List of Patents and Publications for Applicant's <b>4<sup>TH</sup> INFORMATION DISCLOSURE STATEMENT &amp; TRADEMARK SEARCH</b>	Atty. Docket No. 47097-01080USPT	Serial No. 09/915,150
	Applicant Gary R. DelDuca et al.	
	Filing Date: July 25, 2001	Group: 1761

## **U.S. Patent Documents**

## **Foreign Patent Documents**

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

## **Other Art (Including Author, Title, Date Pertinent Pages, Etc.)**

<b>EXAMINER:</b>	<b>DATE CONSIDERED:</b>
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**EXAMINER:** INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.